

REMARKS

The objections to the drawings are noted. Applicant is submitting herewith a Letter to the Chief Draftsperson which is submitted to contain sufficient instructions for complying with the requirements for formal drawings.

Rejected dependent claims 2 and 3 have been cancelled and the subject matter thereof has been incorporated into new claims presented herewith.

Claim 1 has been rejected under 35 U.S.C. §103(a) as being unpatentable over *Shaffer, et al.* '842. This rejection is respectfully traversed.

This claims specifically recites: “decoding the pair-swap reordered and symbol aligned multidimensional signal to produce data symbols represented by the sub-symbols in an output signal”.

This aspect of the claimed invention is not disclosed or even suggested by *Shaffer et al.* '842. As the Examiner correctly notes, his reference does not disclose such a decoder. Nor can it be accepted that such a decoder substantially as claimed would have been required to operate in conjunction with an encoder, as the Examiner contends, in view of the additional information of “performing a pair-swap and symbol alignment operation on the encoded multidimensional signal”, as defined in this claim.

To the contrary, it is submitted that this reference merely samples the incoming signal (converted from transmission medium), and does not disclose or

even suggest the method as claimed by Applicant. It is therefore respectfully submitted that claim 1 is patentably distinguishable over the cited art.

Claims 4-8 have been objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Applicant has rewritten the subject matter to claims 4 plus 3 plus 2 as new independent claim 9, and has rewritten the subject matter of claims 5 plus 2 as new independent claim 10. Dependent claims 6-8 have been amended to depend from new claim 10. It is therefore respectfully submitted that claims 1 and 6-10 are now patentably distinguishable over the cited art.

Favorable action on all pending claims is solicited.

Respectfully submitted,
ERIC YING-CHIN CHOU

Dated: 12/3/04

By: A.C. Smith
Albert C. Smith, Reg. No.: 20,355
Fenwick & West LLP
Silicon Valley Center
801 California Street
Mountain View, CA 94041
Tel.: (650) 335-7296
Fax.: (650) 938-5200

21901/04998/DOCS/1482574.1